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O R D E R


Judge Christopher A. Boyko

Therefore, Magistrate Judge Gallas's report and recommendation is **ADOPTED** and Petitioner's Writ of *Habeas Corpus* (Dkt. # 1) is **DENIED**.

Furthermore, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Dated: 07/23/2007


CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE

FILED

JUL 23 2007

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.C.
CLEVELAND